

109.0015
Claims on the Web (COW)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dodd et al.
Serial No.: 10/036,605
Filed: December 21, 2001
For: SYSTEMS AND METHODS FOR AUTOMATIC SUBMISSION, AUDIT AND
ADJUSTMENT OF MORTGAGE INSURANCE CLAIMS
Group: 3693
Examiner: Patel, Jagdish

Durham, North Carolina
December 4, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Declaration of Nancy J. Dodd, Charla M. Parker, Allison Pope Mangin
(formerly Allison N. Pope,) Joanne A. Stewart, Traci L. Whitney,
and Robert Johnston Pursuant to 37 C.F.R. 1.131

Sir:

We, Nancy J. Dodd, Charla M. Parker, Allison Pope Mangin (formerly Allison N. Pope),
Joanne A. Stewart, Traci L. Whitney, and Robert Johnston declare as follows:

1. All statements herein made of our own knowledge are true and all statements
made on information and belief are believed to be true.

2. On information and belief, a true copy of the Declaration of Peter H. Priest (Priest Decl.) is attached hereto as Exhibit A.

3. I have read Exhibit A and reviewed its exhibits (Priest Decl. Exs. A-C).

4. On information and belief, claims 1-26, 30 and 31 of the present application have been rejected under 35 U.S.C. 102(a) based on Sellers et al. U.S. Publication No. 2001/0044773 (Sellers) and claims 27-29 and 32 have been rejected under 35 U.S.C. 102(a)/103(a) based on Sellers in view of Glenn.

5. As addressed in greater detail below, the invention as claimed in at least claims 1, 11, 14, and 24 of the present application was conceived prior to April 2, 2001 and diligently reduced to practice no later than June 13, 2001.

6. From a date prior to September 15, 2000 to the present date, Nancy J. Dodd, Charla M. Parker and Traci L. Whitney have been employees of Genworth Mortgage Holdings, LLC and its predecessor company GE Capital Mortgage Corporation (collectively "Genworth") at 6601 Six Forks Road, Raleigh, NC 27615. With respect to Allison Pope Mangin, as to the ongoing employment of Nancy J. Dodd and Traci L. Whitney, this statement is made on information. With respect to Joanne A. Stewart, as to the ongoing employment of Charla M. Parker and Traci L. Whitney, this statement is made on information and belief.

7. Allison Pope Mangin, Joanne A. Stewart and Robert Johnston were employees of GE Capital Mortgage from a date prior to September 15, 2000. Robert Johnston's employment with GE Capital Mortgage ended in June of 2001. Joanne A. Stewart retired the end of May 2003. Allison Pope Mangin's employment with GE Capital Mortgage ended in October 2004. With respect to Robert Johnston, as to the end of employment of Joanne A. Stewart and Allison Pope Mangin by GE Capital Mortgage, this statement is made on information and belief. With

respect to Joanne A. Stewart, with respect to the end of employment of Allison Pope Mangin by GE Capital Mortgage, this statement is made on information and belief.

8. Prior to the end of June 2001, a working claims on the web (COW) system embodying at least claims 1, 11, 14, and 24 was in operation and being used by our customers. With respect to Robert Johnston, this statement is made on information and belief.

9. A customer utilized a working COW system to enter a claim on the web at least as early as June 13, 2001. Exhibit B is a document relating to the entry of this claim. This system and its operation embodied the subject matter of at least claims 1, 11, 14, and 24. A second customer utilized the working COW system to enter a claim on the web on June 20, 2001. Exhibit C is a document relating to the entry of this claim. As to Robert Johnston, this statement is made on information and belief.

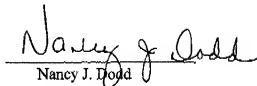
11. Shortly prior to March 30, 2001, customers were invited to test a working COW system as described in Exhibit D hereto. This system embodied the subject matter of at least claims 1, 11, 14, and 24. The operating of the system during the testing described in Exhibit D establishes a conception of the invention of at least claims 1, 11, 14, and 24 prior to March 30, 2001, and the testing referred to in Exhibit D establishes that the invention of these claims worked for its intended purpose.

12. From the time of the testing described in paragraph 11, with the exception of Robert Johnston who left GE Capital Mortgage in June 2001, we worked diligently to roll out this product to our customers. Exhibit E establishes that a general rollout to customers had occurred by September 5, 2001. With respect to Robert Johnston, this statement is made on information and belief through the time he left GE Capital Mortgage.


13. The acts outlined above which are relied upon to establish a date prior to Sellers publication on November 22, 2001 were carried out in the United States. With respect to Robert Johnston, this statement is made concerning acts occurring prior to leaving GE Capital Mortgage.

We declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. We understand that willful false statements and the like are punishable by fine or imprisonment or both as set forth in 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

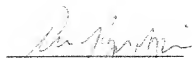
Executed on December 7, 2009


Nancy J. Dodd

December 7, 2009


Charla M. Parker

December 1, 2009


Allison Pope Mangin


December 7, 2009

Joanne A. Stewart
Joanne A. Stewart

December 7, 2009


Traci L. Whitney

December 4th, 2009


Robert Johnston